

EXHIBIT A

DOCKET SHEET
NO. 04-CR-1224
"WARE I"

CLOSED

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-01224-RWS-1**

Case title: USA v. Ware

Date Filed: 11/17/2004

Date Terminated: 02/02/2009

Assigned to: Judge Robert W. Sweet**Defendant (1)****Thomas Ware***TERMINATED: 02/02/2009**also known as*

Ulyssess Thomas Ware

*TERMINATED: 02/02/2009*represented by **Edward T.M. Garland**

Garland, Samuel & Loeb, P.C.

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*TERMINATED: 03/19/2007**LEAD ATTORNEY**Designation: Retained***James Michael Roth**

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Designation: Waived or Self (Pro Se)

Pending Counts

CRIMINAL CONTEMPT
(1-3)

Disposition

Imprisonment: 97 months; Supervised
Release: 3 Years

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition**Plaintiff**

USA

represented by **Alexander Joshua Wilson**
United States Attorney's Office, SDNY

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Date Filed	#	Docket Text
11/17/2004	<u>1</u>	INDICTMENT FILED as to Thomas Ware (1) count(s) 1-3. (Attachments: # <u>1</u>) (kwi,) (Entered: 12/16/2004)
12/08/2004	<u>2</u>	Order to Unseal Indictment as to Thomas Ware.. (Signed by Judge Douglas F. Eaton on 12/8/04) (Attachments: # <u>1</u>)(kwi,) (Entered: 12/16/2004)
12/08/2004		Case Designated ECF as to Thomas Ware .(kwi,) (Entered: 12/16/2004)
03/02/2005	3	Rule 5(c)(3) Documents Received as to Thomas Ware from the U.S.D.C. Northern District of Georgia (Atlanta, Georgia), their case no. 1:05-mj-116. Documents regarding Rule 40 proceedings. (bw,) (Entered: 03/03/2005)
03/14/2005	<u>4</u>	Application for Admission Pro Hac Vice filed by Attorney Manubir S. Arora (Georgia State Bar No. 061641) as to defendant Thomas Ware. (bw,) Additional attachment(s) added on 3/22/2005 (ph,). (Entered: 03/15/2005)
03/14/2005	5	NOTICE OF ATTORNEY APPEARANCE: Manubir S. Arora appearing for Thomas Ware. (jp,) (Entered: 03/18/2005)
03/14/2005		Minute Entry for proceedings held before Judge Theodore H. Katz :Appearance as to Thomas Ware held on 3/14/2005. Deft Present w/ Atty

		Arora. AUSA Rick Goldin present. Deft pleads not guilty. Time excluded until 3/22/2005. (jp,) (Entered: 03/23/2005)
03/14/2005		Minute Entry for proceedings held before Judge Theodore H. Katz : Plea entered by Thomas Ware (1) Count 1-3 Not Guilty. (jp,) (Entered: 03/23/2005)
03/22/2005	<u>6</u>	MEMO ENDORSEMENT on Motion Requesting defendant be excused from attending pre-trial conference as to Thomas Ware a/k/a Ulysses Thomas Ware. Judge memo-endorsed: So ordered. (Signed by Judge Robert W. Sweet on 3/21/05)(ph,) (Entered: 03/22/2005)
03/22/2005		Minute Entry for proceedings held before Judge Robert W. Sweet :Pretrial Conference as to Thomas Ware held on 3/22/2005, as to Thomas Ware; Pretrial Conference set for 6/7/2005 11:00 AM before Judge Robert W. Sweet. Next PTC scheduled for 6/7/05 at 11am. Time stopped 3/22/05 to 6/7/05 in interest of justice. (jw,) (Entered: 03/24/2005)
05/23/2005	<u>7</u>	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Attorney Manubir S. Arora dated 5/23/05 re: requesting that the Court continue the pre-trial conference currently set for 6/7/05 at 11:00 a.m. for an additional 45-60 days. Judge memo-endorsed: This request is granted and Speedy Trial time is excluded to the next conference date on August 9, 2005 in the interest of justice. SO ORDERED. (Signed by Judge Robert W. Sweet on 5/23/05) (ph,) (Entered: 05/24/2005)
08/11/2005	<u>8</u>	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Manubir S. Arora dated 8/3/05 re: requesting that the Court continue the pre-trial conference currently set for 8/9/05 at 10:30 a.m. until 9/26/05 at 2:00 p.m. Judge memo-endorsed: So ordered. (Signed by Judge Robert W. Sweet on 8/10/05)(ph,) (Entered: 08/12/2005)
08/11/2005		Set/Reset Hearings as to Thomas Ware: Pretrial Conference set for 9/26/2005 02:00 PM before Judge Robert W. Sweet.(ph,) (Entered: 08/12/2005)
09/06/2005	<u>9</u>	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Nicholas S. Goldin, AUSA dated 8/24/05 re: Govt. requests the time for speedy trial purposes be excluded from 8/24/05 until 9/24/05.So Ordered. (Signed by Judge Robert W. Sweet on 8/31/05)(pr,) (Entered: 09/07/2005)
10/03/2005	<u>10</u>	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Manubir S. Arora dated 9/30/05 re: Adjournment of the 9/26/05 PTC to 10/26/05 @ 2 PM and an exclusion of time.So Ordered. (Signed by Judge Robert W. Sweet on 10/3/05)(pr,) Additional attachment(s) added on 10/4/2005 (pr,). (Entered: 10/04/2005)
10/03/2005		Set/Reset Hearings as to Thomas Ware: Pretrial Conference adjourned to 10/26/2005 02:00 PM before Judge Robert W. Sweet..(pr,) (Entered: 10/04/2005)
10/13/2005		Minute Entry for proceedings held before Judge Robert W. Sweet :Status Conference as to Thomas Ware held on 10/13/2005, as to Thomas Ware Status Conference set for 10/26/2005 04:30 PM before Judge Robert W. Sweet. Parties are notified. Deft. cont'd detained. (ae,) (Entered: 10/28/2005)

10/31/2005	11	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Nicholas S. Goldin, AUSA dated 10/26/05 re: Requests that the court exclude time for speedy trial purposes from today until 11/22/05,. So Ordered. (Signed by Judge Robert W. Sweet on 10/27/05)(pr,) (Entered: 11/01/2005)
11/22/2005	12	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Nicholas S. Goldin, AUSA dated 11/21/05 re: Exclusion of time from today to 1/23/06.So Ordered (Signed by Judge Robert W. Sweet on 11/22/05)(pr,) (Entered: 11/23/2005)
11/30/2005	13	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Nicholas S. Goldin, AUSA dated 11/21/05 re: Govt. requests the court exclude time for speedy trial purposes from today until 1/23/06.So Ordered. (Signed by Judge Robert W. Sweet on 11/22/05)(pr,) (Entered: 12/01/2005)
12/01/2005		***REJECTION OF ATTEMPTED PAPER FILING IN ECF CASE. The following document(s) Motion to Withdraw by Adam G. Province, as to Thomas Ware, was rejected by the Clerk's Office and must be FILED ELECTRONICALLY on the Court's ECF System. (rdz,) (Entered: 12/01/2005)
01/18/2006	14	MOTION for Edward T.M. Garland to Appear Pro Hac Vice.Document filed by Thomas Ware. (jw,) Additional attachment(s) added on 1/20/2006 (jw,). (Entered: 01/19/2006)
01/23/2006	15	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Nicholas S. Goldin, AUSA dated 1/22/06 re: Exclusion of time from 1/23/06.So Ordered. (Signed by Judge Robert W. Sweet on 1/23/06)(pr,) (Entered: 01/24/2006)
01/23/2006		Minute Entry for proceedings held before Judge Robert W. Sweet :Status Conference as to Thomas Ware held on 1/23/2006, as to Thomas Ware; Status Conference set for 4/24/2006 02:00 PM before Judge Robert W. Sweet. The status conference set for 1/23/06 at 2pm is adjourned to 4/24/06 at 2pm on the letter application filed by the Gov't. Parties are notified of time and date. Deft Ware cont'd on bail as previously set. (jw,) (Entered: 01/26/2006)
01/26/2006	16	ORDER granting 14 Motion for Edward T.M. Garland to Appear Pro Hac Vice as to Thomas Ware (1)(Signed by Judge Robert W. Sweet on 1/25/06) (pr,) (Entered: 01/27/2006)
02/23/2006		CASHIERS OFFICE REMARK as to Thomas Ware on 16 Order on Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 2/7/2006, Receipt Number 569534. (jd,) (Entered: 02/23/2006)
04/19/2006	17	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Attorney David B. Levitt dated 4/18/06 re: submitted to request that the Pretrial Conference, currently scheduled for 4/24/06, be reset in the latter part of June. If the Court grants this request, defense counsel further requests that the Court endorse this letter as an Order excluding the time between 4/24/06, and the next conference date in the interests of justice pursuant to Title 18 USC Section 3161(h)(8)(A). Judge So Ordered this 19 day of April, 2006. (Signed by Judge Robert W. Sweet on 4/19/06)(bw,) (Entered: 04/19/2006)

06/15/2006	<u>18</u>	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Attorney David B. Levitt dated 6/9/06 re: submitted to request a continuance of the Pre-Trial Conference currently set for 6/12/06. Judge Endorsed - The conference will be adjourned to September 21, 2006 at 4:30 with the oral consents of the parties. The time for speedy trial calculation from June 6 to September 21 will be excluded. (Signed by Judge Robert W. Sweet on 6/12/06) (bw,) (Entered: 06/16/2006)
06/15/2006		Set/Reset Hearings as to Thomas Ware: Pretrial Conference set for 9/21/2006 04:30 PM before Judge Robert W. Sweet.(bw,) (Entered: 06/16/2006)
09/22/2006	<u>19</u>	ENDORSED LETTER as to Thomas Ware, addressed to Judge Sweet, from David B. Levitt, Atty for dft, dated 9/22/06, re: request that the Court set a trial date in December, 2006.... If the Crt grants this request, we further request that the court endorse this letter as an order excluding the time between 9/22/06 and the trial date set by Your Honor in the interest of justice. -- Judge endorsed: SO ORDERED this 22nd day of September 2006. (Signed by Judge Robert W. Sweet on 9/22/06)(ja,) Modified on 10/6/2006 (ja,). (Entered: 09/25/2006)
10/05/2006		MEMORANDUM TO THE DOCKET CLERK: as to Thomas Ware. Conference scheduled before the Court on 11/27/06 at 4:30 p.m. Parties are notified. Deft continued on bail as previously set. (bw,) (Entered: 10/18/2006)
10/05/2006		ORAL ORDER as to Thomas Ware. Status Conference set for 11/27/2006 04:30 PM before Judge Robert W. Sweet.(bw,) (Entered: 10/18/2006)
10/10/2006	<u>20</u>	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from David B. Levitt dated 9/25/06 re: Letter to amend the request in the 9/22/06 letter. Instead of a trial date, both counsel request that the date be set for a PTC in December 2006..So Ordered (Signed by Judge Robert W. Sweet on 10/6/06) (pr,) (Entered: 10/11/2006)
11/27/2006	<u>21</u>	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Nicholas S. Goldin, AUSA dated 11/22/06 re: Adjournment of the 11/27/07 status conference until 1/3/07 @ 4:30PM. Exclusion of time for STA purposes from today until 1/3/07, on consent. So ordered (Signed by Judge Robert W. Sweet on 11/22/06)(pr,) (Entered: 11/28/2006)
11/27/2006		Set/Reset Hearings as to Thomas Ware: Status Conference set for 1/3/2007 04:30 PM before Judge Robert W. Sweet..(pr,) (Entered: 11/28/2006)
01/03/2007		Minute Entry for proceedings held before Judge Robert W. Sweet :Pretrial Conference as to Thomas Ware held on 1/3/2007, as to Thomas Ware; Jury Trial set for 6/4/2007 before Judge Robert W. Sweet. Parties present. Deft not present. Trial date scheduled for 6/4/07. Motion returnable on 4/18/07. Speedy Clock is stopped from 1/3/07 to 6/4/07. Deft cont'd on bail as set. (jw,) (Entered: 01/09/2007)
03/19/2007	<u>22</u>	ENDORSED LETTER as to Thomas Ware from Edward T.M. Garland dated 3/12/07 re: Relieving Garland, Samuel & Loeb as counsel. So ordered.. (Signed by Judge Robert W. Sweet on 3/14/07)(pr) (Entered: 03/19/2007)
03/19/2007		

		Attorney update in case as to Thomas Ware. Attorney Manubir S. Arora and Edward T.M. Garland terminated. (pr) (Entered: 03/19/2007)
04/17/2007	23	NOTICE OF ATTORNEY APPEARANCE: Thomas Ware appearing for Thomas Ware. (pr) (Entered: 04/23/2007)
05/14/2007		Minute Entry for proceedings held before Judge Robert W. Sweet :Pretrial Conference as to Thomas Ware held on 5/14/2007, as to Thomas Ware; Jury Trial set for 10/1/2007 before Judge Robert W. Sweet. Parties are present. Motion returnable 6/6/07. Motion returnable 9/19/07 for in-limine motion. Trial is adjourned from 6/4/07 to 10/1/07. Time is stopped 5/14/07 to 10/1/07. The Court permits Mr. Ware to represent himself/as counsel. The Court also appoints CJA Nancy Ennis as stand-by counsel to Mr. Ware. (jw) (Entered: 05/16/2007)
05/15/2007	24	ORDER as to Thomas Ware. The C.J.A. attorney assigned to receive cases on this day, 5/14/07, Nancy Ennis is hereby ordered to assume stand-by representation of the deft in the above captioned matter. (Signed by Judge Robert W. Sweet on 5/15/07)(bw) (Entered: 05/15/2007)
05/15/2007	27	CJA 20 as to Thomas Ware: Appointment of Attorney Nancy Lee Ennis for Thomas Ware. (Signed by Judge Robert W. Sweet on 5/21/07) CJA office mailed original to the attorney and sent a copy to the file.(sao) (Entered: 06/18/2007)
06/11/2007	25	ENDORSED LETTER as to Thomas Ware, addressed to Judge Sweet, from Thomas Ware, Atty for dft, dated 6/4/07, re: application for a one week extension of the time to file motions until 6/13/07. -- Judge endorsed: So ordered. Motions due by 6/13/2007. (Signed by Judge Robert W. Sweet on 6/7/07)(ja) (Entered: 06/12/2007)
06/15/2007	26	ORDER as to Thomas Ware. Pursuant to the S.D.N.Y. local rules, the Deft representing himself pro-se, the Clerk of the Court shall re-designate this case as non-ECF. It is so ordered. (Signed by Judge Robert W. Sweet on 6/12/07) (bw) (Entered: 06/18/2007)
06/18/2007	28	MEMORANDUM OF LAW in Support of Pretrial Motions (First Motion for Discovery) by Thomas Ware. (ja) (Entered: 06/19/2007)
06/27/2007	29	ORDER as to Thomas Ware. The motion of Deft Thomas Ware dated 6/12/07 will be heard on submission on 7/11/07. All motion papers shall be served in accordance with Local Criminal Rule 12.1. It is so ordered. (Signed by Judge Robert W. Sweet on 6/21/07)(bw) (Entered: 07/05/2007)
07/13/2007	30	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Nicholas S. Goldin dated 7/3/07 re: The Government respectfully requests until July 10, 2007 to file and serve its responsive papers..JUDGE MEMO-ENDORSEMENT...SO ORDERED. (Signed by Judge Robert W. Sweet on 7/10/07)(jw) (Entered: 07/16/2007)
08/06/2007	31	ENDORSED LETTER as to Thomas Ware, addressed to Judge Sweet, from Nicholas S. Goldin, AUSA, dated 7/24/07, re: request a one-month adjournment of the 10/1/07 trial date to accommodate the religious observance

		of certain Gov't witnesses. -- Judge endorsed: So ordered. (Signed by Judge Robert W. Sweet on 7/31/07)(ja) (Entered: 08/07/2007)
08/10/2007	32	MEMORANDUM OPINION AND ORDER # 95023 as to Thomas Ware. Defendant Thomas Ware has filed a motion seeking the following: 1) Dismissal of the Indictment for lack of proper venue in the SDNY; 2) Production of exculpatory material; 3) Notice of other act evidence the Gov't intends to introduce at trial under Fed. R. Evid. 404(b); 4) A bill of particulars; 5) Disclosure of ex parte communications between Judge Leonard B. Sand and the plaintiffs in the civil contract action underlying the pending criminal contempt charges;... 6) Disclosure of the name and contact information of the Gov't official who certified certain affidavits in the Civil Action; 7) Disclosure of the criminal history and plea agreement of "Edward M. Grushko; 8) Disclosure of the Indictments of "Thomas Badian" and "Andres Badian; and 9) Disclosure of the identity of the AUSA who presented the Indictment to the Grand Jury. For the reasons stated herein, the motion will be granted in part and denied in part.... Conclusion: the Defendant's motion will be granted to the following extent: the Gov't shall produce all exculpatory and impeachment evidence prior to trial and all Rule 404(b) evidence no later than the deadline for filing in limine motions. Defendant's motion is denied in all other respects. It is so ordered. (Signed by Judge Robert W. Sweet on 8/8/07)(ja) (Entered: 08/13/2007)
08/22/2007	33	RESPONSE to the pretrial motions dated 6/12/2007 by dft Thomas Ware by USA as to Thomas Ware. (jar) (Entered: 08/22/2007)
09/20/2007	34	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Nicholas S. Goldin dated 9/18/07 re: Reschedule Trial., as to Thomas Ware; Jury Trial set for 10/29/2007 at 10:00 AM before Judge Robert W. Sweet..JUDGE MEMO-ENDORSEMENT...SO ORDERED. (Signed by Judge Robert W. Sweet on 9/18/07)(jw) (Entered: 09/21/2007)
10/19/2007	38	CJA 20 as to Thomas Ware: Appointment of Attorney James Roth for Thomas Ware. (Signed by Judge Robert W. Sweet on 10/19/07) CJA Office Mailed the Original to Attorney, and Sent Copy to File.(sac) (Entered: 10/25/2007)
10/22/2007	35	ORDER as to Thomas Ware. The CJA atty assigned to this case Nancy Lee Ennis is hereby ordered substituted and the representation of the deft in the above captioned matter is assigned to James Roth (Stand by Counsel). SO ORDERED. (Signed by Judge Robert W. Sweet on 10/19/07)(jw) (Entered: 10/23/2007)
10/22/2007		Attorney update in case as to Thomas Ware. Attorney James Roth for Thomas Ware added. Attorney Nancy Lee Ennis terminated (jw) (Entered: 10/23/2007)
10/22/2007	36	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Attorney Nancy Lee Ennis dated 10/16/07 re: submitted to ask that the Court relieve her and replace her with an attorney who can serve as stand-by-counsel for the duration of the trial. ENDORSEMENT: Motion to relieve granted. Standby counsel to be appointed. (Signed by Judge Robert W. Sweet on 10/17/07)(bw) (Entered: 10/23/2007)

10/22/2007	37	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from AUSAs Maria E. Douvas/Nicholas S. Goldin dated 10/16/07 re: submitted to request (a) the deadline for the filing of in limine motions be adjourned until Wednesday, 10/31/07, (b) that the Court schedule a final pretrial conference for Monday, 11/5/07, and (c) that the Court exclude time under the Speedy Trial Act from 10/29/07 through 11/13/07. ENDORSEMENT: So Ordered. (Signed by Judge Robert W. Sweet on 10/17/07)(bw) (Entered: 10/25/2007)
10/31/2007	39	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION in Limine(LETTER). Document filed by USA as to Thomas Ware. (Douvas, Maria) Modified on 11/1/2007 (KA). (Entered: 10/31/2007)
10/31/2007	40	Request To Charge by USA as to Thomas Ware. (Douvas, Maria) (Entered: 10/31/2007)
10/31/2007	41	PROPOSED EXAMINATION OF JURORS by USA as to Thomas Ware. (Douvas, Maria) (Entered: 10/31/2007)
11/01/2007		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Maria Elena Douvas as to Thomas Ware: to MANUALLY RE-FILE Document No. 39 Letter. This document is not filed via ECF. (KA) (Entered: 11/01/2007)
11/05/2007		Minute Entry for proceedings held before Judge Robert W. Sweet :Pretrial Conference as to Thomas Ware held on 11/5/2007. Reporter Pam Utter; AUSAs Nicholas Goldin, Maria Douvas; Defense Counsel James Roth (Stand in); PTC held. Parties are present. Application by the Govt regarding motions in-line opposed by deft Mr. Thomas Ware (Pro Se) with stand by counsel present. Motions decided by the Court. Deft continued to be on bail pending trial scheduled for 11-13-07. (bw) (Entered: 11/09/2007)
11/05/2007		ORAL ORDER as to Thomas Ware. Ready for Trial by 11/13/2007. (bw) (Entered: 11/09/2007)
11/13/2007	42	Defendant's Thomas Ware Certificate of Interested Parties. (bw) (Entered: 11/14/2007)
11/13/2007	43	Defendant's Thomas Ware First MOTION in Limine and Brief and Memorandum of Law. Document filed by Thomas Ware. (bw) (Entered: 11/14/2007)
11/14/2007		Minute Entry for proceedings held before Judge Robert W. Sweet:Voir Dire begun on 11/14/2007 Thomas Ware (1) on Count 1-3. (pr) (Entered: 12/04/2007)
11/14/2007		Minute Entry for proceedings held before Judge Robert W. Sweet:Jury Selection as to Thomas Ware held on 11/14/2007 (pr) (Entered: 12/04/2007)
11/14/2007		Minute Entry for proceedings held before Judge Robert W. Sweet:Jury Trial as to Thomas Ware held on 11/14/2007 (pr) (Entered: 12/04/2007)
11/15/2007		Minute Entry for proceedings held before Judge Robert W. Sweet:Jury Trial as to Thomas Ware held on 11/15/2007 (pr) (Entered: 12/04/2007)
11/16/2007		

		Minute Entry for proceedings held before Judge Robert W. Sweet:Jury Trial as to Thomas Ware held on 11/16/2007 (pr) (Entered: 12/04/2007)
11/19/2007	44	Request To Charge the Jury, filed by Thomas Ware. (bw) (Entered: 11/19/2007)
11/19/2007		Minute Entry for proceedings held before Judge Robert W. Sweet:Jury Trial as to Thomas Ware held on 11/19/2007 (pr) (Entered: 12/04/2007)
11/20/2007		Minute Entry for proceedings held before Judge Robert W. Sweet:Jury Trial as to Thomas Ware held on 11/20/2007 (pr) (Entered: 12/04/2007)
11/21/2007		Minute Entry for proceedings held before Judge Robert W. Sweet:Jury Trial as to Thomas Ware held on 11/21/2007. Trial concluded (pr) (Entered: 12/04/2007)
11/21/2007		JURY VERDICT as to Thomas Ware (1) Guilty on Count 1-3. The verdict is in favor of the govt. Sentence is adjourned with no date (pr) (Entered: 12/04/2007)
11/27/2007		Minute Entry for proceedings held before Judge Robert W. Sweet:Hearing as to Thomas Ware held on 11/27/2007. Deft is committed to the custody of the USM. Bail is revoked (Court Reporter Steve Greenblum) (pr) (Entered: 11/28/2007)
11/27/2007	45	MOTION for an arrest warrant to issue for Nicholas S. Goldin and Maria Douvas for violation of 18 USC Secs. 241, 242. Defendant's Memorandum of Law attached. Document filed by Thomas Ware. (ja) (Entered: 11/28/2007)
11/28/2007	47	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from deft Thomas Ware dated 11/26/07 re: submitted in regards to an application to continue the hearing set for Tuesday 11/27/07 until Friday 11/30/07 at 2:00 p.m. ENDORSEMENT: This application is denied. (Signed by Judge Robert W. Sweet on 11/26/07)(bw) (Entered: 12/04/2007)
11/29/2007	46	TRANSCRIPT of Proceedings as to Thomas Ware held on 11/5/07 before Judge Judge Robert W. Sweet. (jbe) (Entered: 11/29/2007)
12/03/2007	48	MEMO ENDORSEMENT as to Thomas Ware on 'Defendant's Motion and Memorandum of Law for an Arrest Warrant to Issue for Nicholas S. Goldin and Maria Douvas for Violation of 18 USC Sections 241, 242' filed by Thomas Ware. ENDORSEMENT: This motion is without basis or authority and is denied in its entirety. So Ordered. (Signed by Judge Robert W. Sweet on 11/27/07)(bw) (Entered: 12/04/2007)
12/03/2007	49	ORDER as to Thomas Ware. Upon the application of James Roth, Esq., assigned pursuant to the Criminal Justice Act to represent Thomas Ware, the dft, it is ORDERED: That James Roth is authorized to submit payment for services rendered on interim vouchers in accordance with the CJA rules and regulations. (Signed by Judge Robert W. Sweet on 11/27/07)(ja) (Entered: 12/04/2007)
01/10/2008	50	

		TRANSCRIPT of Proceedings as to Thomas Ware held on 11/13,14,15,26,19/07 before Judge Judge Robert W. Sweet. (es) (Entered: 01/10/2008)
01/16/2008	51	TRANSCRIPT of Proceedings as to Thomas Ware held on 11/27/07 before Judge Robert W. Sweet. (dj) (Entered: 01/16/2008)
01/16/2008	52	Letter by USA as to Thomas Ware addressed to Judge Sweet from Maria E. Douvas and Nicholas S. Goldin dated 11/27/07 re: The Government respectfully submits this letter in response to certain issues raised by the deft in his Motion and Memorandum of Law for an Arrest Warrant to Issue for Nicholas S. Goldin and Maria Douvas for Violation of 18 USC 241 dated November 27, 2007. For the foregoing reasons, the deft's motion should be denied (jw) (Entered: 01/17/2008)
01/18/2008	53	TRANSCRIPT of Proceedings as to Thomas Ware held on 11/20/07 before Judge Robert W. Sweet. (es) (Entered: 01/18/2008)
01/22/2008		ORAL ORDER as to Thomas Ware. Sentence is scheduled for 4/28/08 @ 4:30 p.m. Parties are notified. Dft is cont'd detained. (Sentencing set for 4/28/2008 at 04:30 PM before Judge Robert W. Sweet.) (Signed by Judge Robert W. Sweet on 1/22/08)(ja) (Entered: 01/24/2008)
02/25/2008	54	ORDER as to Thomas Ware. It is hereby ordered that because of the anticipated length of the trial in this case, CJA attorney(s) may submit interim vouchers for representation of his/their client.... (Signed by Judge Robert W. Sweet on 12/13/07)(ja) (Entered: 02/27/2008)
02/26/2008	55	Sentencing Letter by Thomas Ware addressed to Judge Patterson from David Patton, Atty for dft, dated 2/25/08, re: in advance of sentencing.... For all the reasons, we ask the Court to impose the mandatory minimum penalty of 60 months. (ja) (Entered: 02/27/2008)
03/25/2008	56	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from Thomas J. McCarthy dated 3/20/08 re: We are respectfully requesting direction from the Court as to how proceed with the presentence investigation at this time. We respectfully request that it be so indicated below....ENDORSEMENT...Proceed with the investigation without interviewing the defendant. SO ORDERED. (Signed by Judge Robert W. Sweet on 3/24/08)(jw) (Entered: 03/25/2008)
05/15/2008		MEMORANDUM TO THE DOCKET CLERK: as to Thomas Ware. Sentence adjourned from 4/28/08 to 9/16/08 at 4:30 p.m. Parties are notified. Deft continued detained. (Sweet, J.) (bw) (Entered: 05/22/2008)
05/15/2008		Set/Reset Hearings as to Thomas Ware: Sentencing set for 9/16/2008 at 04:30 PM before Judge Robert W. Sweet. (bw) (Entered: 05/22/2008)
09/15/2008	57	ORDER as to Thomas Ware. By letter dated 9/12/08, the Govrenment requested an adjournment of the 9/16/08 sentencing date in this case in order to allow time for the Defendant, who is incarcerated and represents himself pro se, to receive, review and file any response to the Government's forthcoming sentencing submission. The adjournment is granted. Defendant will be allowed

		thirty days from the date of his receipt of that submission to file his response with the Court. (Signed by Judge Robert W. Sweet on 9/15/08)(bw) (Entered: 09/15/2008)
09/30/2008	58	MOTION for Recusal of Judge Robert W. Sweet, pursuant to 28 USC Sec. 455 (a) and 28 USC Sec. 144, and For a U.S. Magistrate Judge to Issue Federal Arrest Warrants Where Probable Cause Existed for Violations of 18 USC Sec. 241, 242, 18 USC Sec. 371, 18 USC Sec. 201. Defendant's Affidavit in Support Attached. Document filed by Thomas Ware. (ja) (Entered: 10/03/2008)
10/07/2008	60	MOTION to Vacate and Set-Aside for Ineffective Assistance of Counsel and a Finding of Probable Cause for the Issuance of Federal Arrest Warrants. Document filed by Thomas Ware. Defendant's Memorandum in Support attached. (ja) (Entered: 10/09/2008)
10/08/2008	59	MEMO ENDORSEMENT as to Thomas Ware re: 58 MOTION for Recusal, filed by Thomas Ware. -- Judge endorsed: This motion is denied, no basis for recusal having been established. So ordered. (Signed by Judge Robert W. Sweet on 10/7/08)(ja) (Entered: 10/08/2008)
10/15/2008	61	MOTION for Disclosure of Pre-sentencing Report pursuant to Federal Rule of Criminal Procedure 32(e)(1),(2), and Referral of Judge Robert W. Sweet to the Judicial Council of the Second Circuit of Judicial Misconduct. Document filed by Thomas Ware. (bw) (Entered: 10/17/2008)
10/15/2008		MEMORANDUM TO THE DOCKET CLERK as to Thomas Ware: Sentence is scheduled for 12/9/08 at 4:30 p.m. (Tuesday). Parties are notified. Deft continued detained. (Sweet, J.) (bw) (Entered: 10/17/2008)
10/15/2008		Set/Reset Deadlines/Hearings as to Thomas Ware: Sentencing set for 12/9/2008 at 04:30 PM before Judge Robert W. Sweet. (bw) (Entered: 10/17/2008)
10/21/2008	62	Defendant Ware's Supplemental Exhibit to His Motion for Ineffective Assistance of Counsel. Document filed by Thomas Ware, dated 10/15/08. (bw) (Entered: 10/28/2008)
11/06/2008	63	MOTION for Complete Disclosure of of all Information used to Calculate Loss in Paragraph Thirty Two (32) of the Improperly Disclosed PSR; and Ware's Initial Objections to the PSR in violation of Rule 32(e)(1); and Ware's Request for a Fatico Hearing. Document filed by Thomas Ware. (bw) (Entered: 11/10/2008)
11/13/2008	64	ORDER as to Thomas Ware. Defendant Ware's motion filed 11/6/08, will be heard on submission on Wednesday, 12/10/08. All motion papers shall be served in accordance with Local Criminal Rule 12.1. (Signed by Judge Robert W. Sweet on 11/12/08)(bw) (Entered: 11/13/2008)
11/17/2008	65	MOTION to Dismiss the Indictment; Second Objections to PSR of August 28, 2008; Second Request for Fatico Hearing; Request for Production of Documents. Document filed by Thomas Ware, dated 11/12/08. (bw) (Entered: 11/19/2008)
11/24/2008	67	

		MOTION to Dismiss the Indictment for Lack of Subject Matter Jurisdiction. Document filed by Thomas Ware, dated 11/18/08. (bw) (Entered: 12/01/2008)
11/24/2008	68	MOTION to Dismiss Indictment for Double Jeopardy Reasons, and to Order a U.S. Magistrate Judge to Issue Federal Arrest Warrants for Probable Cause for 18 USC Section 241, 242, 18 USC Section 371, 18 USC Section 201 et al. Document filed by Thomas Ware, dated 9/23/08. (bw) (Entered: 12/01/2008)
11/24/2008	69	Supplemental Exhibit to Ware's Motion to Recuse Robert W. Sweet; and Motion to Dismiss Indictment for Double Jeopardy. Document filed by Thomas Ware, dated 11/19/08. (bw) (Entered: 12/01/2008)
11/26/2008	66	ORDER as to Thomas Ware. Defendant Ware's four pending motions, including his motion filed November 17, 2008, will be heard at the sentencing scheduled for Tuesday, December 9, 2008. All motion papers shall be served in accordance with Local Criminal Rule 12.1. (Signed by Judge Robert W. Sweet on 11/25/08)(mme)k (Entered: 11/26/2008)
12/09/2008	70	AMENDED SENTENCING OPINION #96843, as to Thomas Ware: On 11/21/07, Thomas Ware aka Ulysses Thomas Ware was convicted by a jury of three counts of criminal contempt, in violation of 18 USC Sec. 401(3). For the reasons set forth herein, Ware will be sentenced to 97 months' imprisonment, 37 of which are to be served concurrently with the sentence Ware is currently serving, and 3 years' supervised release. Ware also will be required to pay a special assessment of \$300.00.... The terms of this sentence are subject to modification at the sentencing hearing scheduled for 12/9/08. It is so ordered. (ja) Modified on 12/11/2008 (mro). (Entered: 12/09/2008)
12/09/2008		ORAL ORDER (Sentence/Motion) as to Thomas Ware. Dft Thomas Ware (pro se) present. James Roth (Shadow Counsel) present. AUSAs Maria Douvas and Nicholas Goldin present. Crt Rptr Chris Sellin present. (Sentencing adjourned to 1/22/2009 at 03:30 PM before Judge Robert W. Sweet.). Dft cont'd detained. Mr. Roth is relieved and new Shadow counsel will be appointed today. (Signed by Judge Robert W. Sweet on 12/9/08)(ja) (Entered: 12/12/2008)
12/10/2008	82	CJA 20 as to Thomas Ware: Appointment of Attorney Lisa Scolari for Thomas Ware. (Signed by Judge Robert W. Sweet on 1/14/09) CJA Office has mailed the original and sent a copy to the file.(sac) (Entered: 01/15/2009)
12/11/2008	71	ORDER: As to Thomas Ware. The C.J.A. attorney assigned to this case James Roth is hereby ordered substituted and representation of the defendant in the above captioned matter is assigned to Lisa Scolari. Added attorney Lisa Scolari for Thomas Ware. Attorney James Michael Roth terminated in case as to Thomas Ware. (Signed by Judge Robert W. Sweet on 12/10/2008)(D'Avanzo, Daniel) (Entered: 12/11/2008)
12/12/2008	73	MOTION for an Order for the Immediate Return of His Case File; and for a Fine of \$500.00 Per Day Imposed on Edward T.M. Garland, Esq. Until Said Case File is Returned to Ware. Document filed by Thomas Ware, dated 12/5/08. (bw) (Entered: 12/24/2008)
12/17/2008	72	THIRD OBJECTIONS TO PRESENTENCE INVESTIGATION REPORT dated 8/28/08; Objections to the Government's Sentencing Memorandum dated

		9/15/08; Second Request for Documents Used to Validate Information in PSR dated 8/28/08 and Government's Sentencing Memorandum dated 9/15/08, by Thomas Ware. (ja) (Entered: 12/22/2008)
12/23/2008	74	Ware's Initial Objections to the Sentencing Opinion dated 12/9/08, and Demand for a Fatico Hearing and Motion to Dismiss the Indictment, as to Thomas Ware. (ja) (Entered: 01/05/2009)
01/07/2009	75	Ware's Exhibits to Objections to PSR Dated August 28, 2008 and Sentencing Opinion Dated December 9, 2008. Document filed by Thomas Ware, dated 12/31/08. (bw) (Entered: 01/09/2009)
01/07/2009	76	Ware's Exhibits of Collusion, Fraud, Perjury, Conspiracy and Malicious Prosecution; Evidence of the Perjury of AUSA Alexander H. Southwell and AUSA Steven D. Feldman at January 2007 Hearing in 05-CR-1115(WHP); Evidence of Violation of F.R.Crim.Proc. 6 by AUSA Alexander H. Southwell and Jeffrey B. Norris, Esq. of the Securities and Exchange Commission. Document filed by Thomas Ware, dated 1/2/09. (bw) (Entered: 01/09/2009)
01/07/2009	77	Ware's Exhibit of Proof of Judge Leonard B. Sand and Stonestreet, L.P Collusion and Conspiracy to Commit Securities Fraud, Perjury and Obstruction of Justice; and Exhibit to Ware's Objection to PSR Dated August 28, 2008, and Sentencing Opinion Dated December 9, 2008. Document filed by Thomas Ware. (bw) (Entered: 01/09/2009)
01/07/2009	78	Ware's Certificate of Service of Objections to PSR Dated August 28, 2008. Document filed by Thomas Ware, dated 12/31/08. (bw) (Entered: 01/09/2009)
01/09/2009	79	TRANSCRIPT of Proceedings as to Thomas Ware held on 12/9/08 before Judge Robert W. Sweet. (ama) (Entered: 01/13/2009)
01/13/2009	81	Ware's Fourth Objections to the PSR dated August 28, 2008; Second Objections to the Sentencing Opinion dated December 9, 2008; Objections to the Government's Sentencing Memorandum dated September 15, 2008, ("Memo-1") and Objections to the Government's Submission dated November 26, 2008, ("Memo-2"). Document filed by Thomas Ware, dated 1/4/09. (bw) (Entered: 01/15/2009)
01/13/2009	83	Ware's Exhibits to Post Trial Motions, Objections to PSRs, Sentencing Opinions and Government Sentencing Submissions Establishing Judge Sand, Kenneth A. Zitter, Esq., Thomas Badian, Avi Rabinowitz, Edward Grushko, Esq., Barbara Mittman and Alexander H. Southwell's Conspiracy to Commit Securities Fraud, Securities Fraud, Kidnapping, Perjury, Obstruction of Justice, Bribery and Violations of the Code of the Judicial Conduct, as to Thomas Ware. (ja) (Entered: 01/15/2009)
01/14/2009	<u>80</u>	OPINION #96966: On November 21, 2007, Thomas Ware, a/k/a Ulysses Thomas Ware ("Ware" or "Defendant") was convicted by a jury of three counts of criminal contempt, in violation of 18 U.S.C. § 401(3). Ware has since made a long series of convoluted and frivolous motions, some of which have already been dismissed. The remaining motions are disposed of here. In summary, Ware's motions corresponding to Docket Nos. 60, 61, 63, 65, 67, 66, and 72-74 are denied. It is so ordered. Denying 60 Motion re: 72 Objection to Presentence

		Investigation Report, 74 Remark as to Thomas Ware (1); denying 61 Motion for Disclosure as to Thomas Ware (1); denying 63 Motion for Disclosure as to Thomas Ware (1); denying 65 Motion to Dismiss as to Thomas Ware (1); denying 67 Motion to Dismiss for Lack of Jurisdiction as to Thomas Ware (1); denying 68 Motion to Dismiss as to Thomas Ware (1); denying 73 Motion re: 72 Objection to Presentence Investigation Report, 74 Remark as to Thomas Ware (1) (Signed by Judge Robert W. Sweet on 1/14/2009) (D'Avanzo, Daniel) Modified on 1/20/2009 (mro). (Entered: 01/14/2009)
01/21/2009	84	Ware's Letter of December 18, 2008 and January 5, 2009 to Lisa Scolari, Esq., Assigned Standby-Counsel. Document filed by Thomas Ware, dated 1/15/09. (bw) (Entered: 01/23/2009)
01/21/2009	85	Ware's Exhibit of June 2, 2003 Transcript of Telephonic Conference between Kenneth Zitter, Esq., Judge Leonard B. Sand and Ware. Evidence of Civil Plaintiffs Loss Amount; Evidence of Ponzi Scam. Document filed by Thomas Ware, dated 1/15/09. (bw) (Entered: 01/23/2009)
01/21/2009	86	Ware's Exhibit of July 2, 2003 Order in 02-Cv-2219(LBS) and Transcript of Telephonic Hearing of July 2, 2003. Document filed by Thomas Ware, dated 1/15/09. (bw) (Entered: 01/23/2009)
01/21/2009	87	Ware's Exhibit of Subpoenas to Judge William H. Pauley, III and Judge Leonard B. Sand. Document filed by Thomas Ware, dated 1/15/09. (bw) (Entered: 01/23/2009)
01/21/2009	88	SENTENCING MEMORANDUM by Thomas Ware. (bw) (Entered: 01/23/2009)
01/21/2009	91	Ware's Exhibit Letter of January 16, 2009 Regarding Docket Report of 1/10/2009. Document filed by Thomas Ware, dated 1/16/09. (bw) (Entered: 02/06/2009)
01/21/2009	92	Ware's Exhibit of Evidence of the Misconduct of Jeffrey B. Norris, Esq. and the Securities and Exchange Commission's Fort Worth, TX Office. Document filed by Thomas Ware, dated 1/16/09. (bw) (Entered: 02/06/2009)
01/27/2009	<u>89</u>	OPINION #97014 as to Thomas Ware. On January 13, 2009, Defendant Thomas Ware (thea "Defendant" or a "Ware") made yet another submission, entitled a Ware's Fourth Objections to the PSR dated August 28, 2008; Second Objections to the Sentencing Opinion Dated December 9, 2008; Objections to the Government's [sic] SentencingMemorandum dated September 15, 2008, ('Memo-1') and Objections to the Government's Submission dated November 26, 2008 ('Memo 2')" in advance of his sentencing in this case, scheduled for January 27, 2009.... Judge Zloch's analysis is compelling, and the sentencing opinion's classification of criminal contempt as a Class A felony will therefore stand. It is so ordered. (Signed by Judge Robert W. Sweet on 1/26/09)(ja) Modified on 1/30/2009 (mro). (Entered: 01/27/2009)
01/27/2009		Minute Entry for proceedings held before Judge Robert W. Sweet:Sentencing held on 1/27/2009 for Thomas Ware (1) Count 1-3. (D'Avanzo, Daniel) (Entered: 02/02/2009)

01/27/2009	99	Defendant's Ware's Exhibit of Letter to Judge William H. Pauley, III regarding the Perjury and Obstruction of Justice of Former AUSA Alexander H. Southwell and SEC Enforcement Attorney Jeffrey B. Norris, Esq; Request for the Criminal Prosecution of Southwell and Norris and the referral of Judge Pauley to the Judicial Committee for Judicial Misconduct. as to Thomas Ware. (jw) (Entered: 02/26/2009)
01/27/2009	101	Defendant Ware's Exhibit of Subpoenas to AUSA Nicholas Goldin and Judge Robert W. Sweet for the production of email communications of the U.S. Attorney's Office and Jeffrey B. Norris and Alexander H. Southwell. Document filed by Thomas Ware, dated 1/23/09. [*** Received for docketing on 3/5/09 ***] (bw) (Entered: 03/05/2009)
02/02/2009	<u>90</u>	JUDGMENT: As to Thomas Ware (1), Count(s) 1-3, Imprisonment: 97 months 60 months of which are to be served consecutive to his current sentence. Supervised Release: 3 Years. The defendant is remanded to the custody of the United States Marshal. The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. The defendant shall cooperate in the collection of DNA as directed by the probation officer. The defendant is to pay an assessment fee of \$300.00 as a lump sum payment due immediately. The defendant is to pay a fine of \$12,500.00 according to the terms of for criminal monetary penalties schedule on page 6 of this document. (Signed by Judge Robert W. Sweet on 1/27/2009)(D'Avanzo, Daniel) (Entered: 02/02/2009)
02/02/2009		Judgment entered in money judgment book as #09,0219 as to Thomas Ware in the amount of \$ 12,800.00, re: <u>90</u> Judgment. (dt) (Entered: 02/09/2009)
02/03/2009	93	Ware's Schematic and Exhibit of Stock Fraud Ponzi Scam Involving Alexander H. Southwell, Judge Leonard B. Sand, Thomas Badian (Fugitive), Edward Grushko, Esq. (Convicted Felon), Ari Rabinowitz, Barbara Mittman, Esq., and Kenneth A. Zitter, Esq. Document filed by Thomas Ware, dated 1/30/09. (bw) (Entered: 02/06/2009)
02/03/2009	94	Letter by Thomas Ware, addressed to Judge Pauley, from Ulysses Thomas Ware, Pro Se, dated 1/29/09, re: the Subpoena of 12/31/08 and the production of requested documents. (ja) (Entered: 02/06/2009)
02/03/2009	95	AFFIRMATION of Thomas Ware regarding the Conduct of Lisa Scolari, Esq. on 1/27/09 at the U.S. District Court Sentencing Hearing. (ja) (Entered: 02/06/2009)
02/10/2009	100	NOTICE OF APPEAL by Thomas Ware from <u>90</u> Judgment. Copies mailed to attorney(s) of record: A.U.S.A. and Court Reporter. (tp) (Entered: 02/28/2009)
02/10/2009		Appeal Remark as to Thomas Ware re: 100 Notice of Appeal - Final Judgment. ATTORNEY CJA. (tp) (Entered: 02/28/2009)
02/12/2009	<u>96</u>	ENDORSED LETTER as to Thomas Ware addressed to Judge Sweet from defendant Ulysses Thomas Ware, pro se, dated 2/5/09 re: Enclosed is a copy of Ware's Notice of Appeal dated February 5, 2009. I request that you enter a written order pursuant to Fed. Rule of Appellate Procedure 4(b)(4) extending Ware's period to timely this notice of appeal until 30 days after the 10 day

		period in Rule 4(b). ENDORSEMENT: Having directed that the notice be filed, this motion is moot. So Ordered. (Signed by Judge Robert W. Sweet on 2/11/09)(bw) (Entered: 02/13/2009)
02/24/2009	97	TRANSCRIPT of Sentence Proceedings as to Thomas Ware held on January 27, 2009 before Judge Robert W. Sweet. (mro) (Entered: 02/24/2009)
02/24/2009	98	TRANSCRIPT of Proceedings as to Thomas Ware held on 1/27/09 before Judge Robert W. Sweet. (cd) (Entered: 02/25/2009)
02/28/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Thomas Ware to US Court of Appeals re: 100 Notice of Appeal - Final Judgment. (tp) (Entered: 02/28/2009)
04/16/2009		USCA Appeal Fees received \$ 405.00, receipt number E 683923 as to Thomas Ware on 4/13/09 at 11:03:40 AM re: 100 Notice of Appeal - Final Judgment filed by Thomas Ware. (tp) (Entered: 05/07/2009)
05/14/2009	102	Appeal Record Sent to USCA (Index)[3 VOL]. Notice that the Original index to the record on Appeal as to Thomas Ware re: 100 Notice of Appeal - Final Judgment USCA Case Number 09-0851, 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (nd). (Entered: 05/14/2009)
07/21/2009		Appeal Record Sent to USCA (File)[3 VOL]. Indexed record on Appeal as to Thomas Ware re: 100 Notice of Appeal - Final Judgment USCA Case Number 09-0851, were transmitted to the U.S. Court of Appeals. (tp) (Entered: 07/21/2009)
09/15/2009	103	ORDER as to Thomas Ware. Defendant's letter of July 9, 2009 will be heard on submission, without oral argument, on Wednesday, October 14, 2009. It is so ordered. (Signed by Judge Robert W. Sweet on 9/10/09)(jw) (Entered: 09/15/2009)
11/20/2009	104	OPINION #98269 as to Ulysses Thomas Ware, a/k/a Thomas Ware. By letter of July 9, 2009, defendant Ulysses Thomas Ware ("Ware" or the "Defendant") sought a reference under Rule 42, Fed. R. Crim. P., of Assistant United States Attorneys Nicholas S. Goldin ("AUSA Goldin") and Maria E. Douvas ("AUSA Douvas") to the United States Attorney for prosecution for criminal contempt of the August 10, 2007 pretrial order (the "August 10 Order"). Upon the findings and conclusions set forth below, the application of Ware is denied.... [see Opinion]... The application for a referral for criminal contempt prosecution is denied. It is so ordered. (Signed by Judge Robert W. Sweet on 11/20/09)(bw) Modified on 11/24/2009 (eef). (Entered: 11/20/2009)
02/22/2010		MOTION to Dismiss the Indictment or MOTION to conduct a Kastigar, Curcio, and Kordel Hearing; and pursuant to 18 USC Sec. 3143(b) immediate bail on his personal recognizance on or before March 1, 2010. Document filed by Ulysses Thomas Ware. Filed as document #130 in 05-cr-1115 (WHP). (ja) (Entered: 02/24/2010)
02/25/2010	105	Defendant/Appellant Ulysses Thomas Ware's Exhibit of Criminal Fraud on the Court of District Clerk L. Michael McMahon, District Judges: Leonard B.

		Sand; William H. Pauley, III, Robert W. Sweet, and Kent J. Dawson (D. NV); and Circuit Judges: Peter W. Hall, Robert Sack; Amalya Kearsse; Reena Raggi; Rosemary Pooler; Barrington Parker; and Dennis Jacobs; and former U.S. Attorney Michael J. Garcia, Esq., all officers of the court as to Thomas Ware. (ja) (Entered: 03/01/2010)
05/10/2010	106	Letter addressed to J.Michael McMahon from Ulysses Thomas Ware dated 4/22/2010. This letter is in regard to 05-cr-1115 (WHP) and the current status of the numerous pleadings pending before the court. District Judge Pauley was named a respondent in a rule 60(d)(3) Fraud on the court pleading regarding 1115 (WHP) and thus he was disqualified to adjudicate the pending motions and as a matter of law (28 U.S.C. sections 144, 455 (a), (b)(1) to recuse himself from any further actions in 1115(WHP) (dnd) (Entered: 05/13/2010)
11/24/2010	107	MOTION for New Trial. Document entitled "Memorandum of Law in Support of Rule 33 Motion for a New Trial for Newly Discovered Evidence, and Rule 12(b)(3) Motion to Dismiss the Indictment". Document filed by Thomas Ware. (bw) (Entered: 11/29/2010)
12/03/2010	108	ORDER as to Thomas Ware. Defendant's motion for a new trial and to dismiss the indictment, dated November 24, 2010, will be heard on submission, without oral argument, on January 12, 2011. It is so ordered. (Signed by Judge Robert W. Sweet on 12/3/2010)(ja) (Entered: 12/03/2010)
01/14/2011	109	MANDATE of USCA (certified copy) as to Thomas Ware re: 100 Notice of Appeal - Final Judgment, USCA Case Number 09-0851-cr. It is hereby ORDERED, ADJUDGED, and DECREED that the judgment of the District Court is AFFIRMED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit, Clerk USCA. Issued As Mandate: 01/14/2011. (nd) (Entered: 01/18/2011)
01/14/2011	113	Defendant Ware's AFFIRMATION and Memorandum of Law of Fraud on the Court, Grand Jury Fraud, Prosecutorial Misconduct, and Prosecutorial Corruption and Committed by David Kelly, Michael J. Garcia, Nicholas S. Goldin, and Maria E. Douvas (jw) (Entered: 01/31/2011)
01/18/2011		Transmission of USCA Mandate/Order to the District Judge re: 109 USCA Mandate - Final Judgment Appeal,. (nd) (Entered: 01/18/2011)
01/19/2011	110	OPINION: #99880 As to Thomas Ware re: 107 MOTION for New Trial, filed by Thomas Ware. On November 24, 2010, defendant Ulysses Thomas Ware ("Ware" or Defendant") submitted a Rule 33 Motion a New Trial for Newly Discovered Evidence, and Rule 12(b) (3) Motion to Dismiss the Indictment. Defendant's motion is based on grounds identical to those raised by Defendant on appeal, which have been rejected by the Second Circuit. Accordingly, Defendant's motion is denied. It is so ordered. (Signed by Judge Robert W. Sweet on 1/19/2011)(dnd) Modified on 1/24/2011 (ajc). (Entered: 01/19/2011)
01/24/2011	111	MOTION for a Kastigar and Curcio Hearing and Affirmation Dated February 13, 2010 in Support Thereof Including a Memorandum of Law; and a 28 U.S.C. Section 455(b)(5)(iv) Disqualification of District Judge Sweet as a

		Material Witness in this Matter. Document filed by Thomas Ware, dated December 10, 2010. (bw) (Entered: 01/26/2011)
01/28/2011	112	REPLY TO RESPONSE to Motion by Thomas Ware re 107 MOTION for New Trial.. (dnd) (Entered: 01/28/2011)
02/01/2011	114	OPINION #99907 as to Thomas Ware re: MOTION to Dismiss filed by Thomas Ware. In a January 19, 2011 Opinion, this Court denied defendant Ulysses Thomas Ware's ("Ware" or "Defendant") "Rule 33 Motion for a New Trial for Newly Discovered Evidence, and Rule 12(b) (3) Motion to Dismiss the Indictment." On January 25, 2011, Ware submitted a Reply in support of his motion. Having reviewed the substance of Ware's Reply, it is determined that the January 19, 2011 Opinion remains unchanged. Ware's motion is denied. It is so ordered. (Signed by Judge Robert W. Sweet on 2/1/11)(jw) Modified on 2/4/2011 (ajc). (Entered: 02/01/2011)
02/02/2011	115	NOTICE OF ATTORNEY APPEARANCE Alexander Joshua Wilson appearing for USA. (Wilson, Alexander) (Entered: 02/02/2011)
02/08/2011	117	MEMORANDUM OF LAW in Support of Rule 33 Motion for a New Trial for Newly Discovered Evidence, and Rule 12(b)(3) Motion to Dismiss the Indictment, and 28 U.S.C. Sections 455(a), (b)(1, 4) disqualification, and Rule 60(d)(3) and Fifth Amendment Fraud on the Court Motions. Document filed by Thomas Ware. [*** Originally received by Pro Se Office on 11/24/2010; Accepted for filing by Judge Sweet on 2/8/2011. ***] (bw) (Entered: 03/03/2011)
02/11/2011	116	ORDER: As to Thomas Ware. Defendant's motion for reconsideration of the Court's January 19, 2011 Order, dated January 28, 2011, will be heard on submission, without oral argument, on March 16, 2011. All motion papers shall be served in accordance with Local Criminal Rule 12.1. It is so ordered. (Signed by Judge Robert W. Sweet on 2/10/2011)(dnd) (Entered: 02/14/2011)
02/22/2011		Appeal Record Returned [3 VOL]. Indexed record on Appeal Files as to Thomas Ware re: Appeal Record Sent to USCA - File, 109 USCA Mandate - Final Judgment Appeal, Transmission of USCA Mandate/Order to District Judge USCA Case Number 09-0851, returned from the U.S. Court of Appeals. (tp) (Entered: 02/22/2011)
02/24/2011		***DELETED DOCUMENT. Deleted document numbers: 117, 118, as to Thomas Ware. The document was incorrectly filed in this case. (bw) (Entered: 02/24/2011)
03/18/2011	118	OPINION: #100076 as to Thomas Ware. Defendant Ulysses Thomas Ware ("Ware" or "Defendant") has moved for reconsideration of this Court's January 19, 2011 Order denying Ware's Rule 33 motion for a New Trial and Rule 12(b) (3) motion to dismiss the indictment. All grounds raised by Ware in his motion for reconsideration have been foreclosed by the Second Circuit's decision denying his appeal of his conviction. See United States v. Ware, No. 09-0851-cr, 2010 WL 4359186 (2d Cir. Nov. 4, 2010). Ware has not set forth controlling decisions or factual matters that the Court overlooked in deciding Ware's motion for a new trial or to dismiss the indictment. Accordingly, his

		<p>motion is denied. In a related criminal matter, United States v. Ware, No. 05 Cr. 1115 (S.D.N.Y.), Ware "launched" a barrage of meritless post-judgment applications and motions," which the Honorable William H. Pauley III found to be "uniformly and completely without merit." Judge Pauley cautioned Ware, as a former attorney, "to refrain from burdening this Court with incessant and patently frivolous applications." Similarly, in this litigation, Ware has burdened this Court with a barrage of applications, requests, letters, and motions. Having reviewed all of them, it is determined that they are meritless and frivolous. Accordingly, Ware's applications and motions, among other things, for dismissal of the Indictment and/or vacatur of his conviction, to hold Kastigar, Curcio, and/or Kordel hearings, alleging that the government attorneys have committed fraud on the Court, and seeking recusal of this Court are all denied with prejudice. It is so ordered. (Signed by Judge Robert W. Sweet on 3/17/2011)(bw) Modified on 3/23/2011 (jab). (Entered: 03/18/2011)</p>
03/30/2011	119	<p>ENDORSED LETTER as to Thomas Ware addressed to Judge Robert W. Sweet from Ulysses Thomas Ware dated 3/22/11 re: This letter is for you to file and docket the enclosed pleading and exhibits with the court and enter the requested relief once the government defaults and does not file a timely response in writing with the court....ENDORSEMENT...This action have been terminated in the absence of any findings proceedings. These documents will be docketed and no further action will be called. SO ORDERED. (Signed by Judge Robert W. Sweet on 3/30/11)(jw) (Entered: 03/30/2011)</p>
04/01/2011	120	<p>MEMO ENDORSEMENT as to Thomas Ware on a motion filed by Thomas Ware re: Defendant moves the court for an order vacating the March 18, 2011 order (Appx. #1), and Ware's fraudulent conviction and sentence and dismissal of the indictment in 1224. ENDORSED: This is a action having been closed, there is no jurisdiction to entertain this application, which is therefore denied. (Signed by Judge Robert W. Sweet on 4/1/2011)(ab) (Entered: 04/01/2011)</p>
04/04/2011	121	<p>MOTION pursuant to Fed. R. App. Proc. 4(b)(4) for an Extension of Time to file his notice of appeal to the District Court's Opinion dated 3/18/2011 (Exhibit #1) for good cause shown until 4/9/2011, or thereafter. Document filed by Thomas Ware. (ja) (Entered: 04/05/2011)</p>
04/05/2011	122	<p>MEMO ENDORSEMENT as to Thomas Ware on "Letter" submitted by defendant Thomas Ware dated March 29, 2011 re: Defendant Ware's motion pursuant to Fed. R. App. Proc. 4(b)(4) for an extension of time to file his notice of appeal to the District Court's Opinion dated March 18, 2011 (Exhibit #1) for good cause shown until April 19, 2011, or thereafter. Ware hereby request that the Court enter an order striking the Opinion from the record until such time as the Court enters an order or "Opinion" containing a competing factual basis and conclusions of law on each of Ware's motions submitted to the Court for adjudication. ENDORSEMENT: No basis having been established for the relief requested, this application is denied. So Ordered. (Signed by Judge Robert W. Sweet on 4/5/2011)(bw) (Entered: 04/05/2011)</p>
04/05/2011	123	<p>REPLY TO RESPONSE to Motion by Thomas Ware re 107 MOTION for New Trial. Defendant files his reply to the government's response and shows the court the following... (dnd) (Entered: 04/06/2011)</p>

04/14/2011	124	NOTICE OF APPEAL by Thomas Ware from 118 Memorandum & Opinion. Filing fee \$ 455.00, receipt number 465401005245. (tp) (Entered: 05/18/2011)
05/18/2011		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Thomas Ware to US Court of Appeals re: 124 Notice of Appeal - Final Judgment. (tp) (Entered: 05/18/2011)
05/18/2011	125	OPINION #100337 as to Thomas Ware. Defendant Ulysses Thomas Ware's ("Ware" or "Defendant") criminal case was marked closed on 2/2/2009. The Second Circuit denied the appeal of his conviction on 11/4/2010. Defendant filed papers, dated 3/22/2011, in his closed case. That filing raised no controlling decisions or factual matters that the Court did not consider in deciding Ware's motion for a new trial or to dismiss the indictment;... Due to the absence of any live case or controversy and lacking proper jurisdiction, as well as having reviewed Ware's instant motion and determined that it, like the March 22 filing, is frivolous and without merit , the Court ORDERS that Defendant's most recent filings be docketed and no further action be taken. Ware is cautioned, as a former attorney, to refrain from burdening this Court with frivolous filings. Defendant is instructed to direct any future inquiries to the Pro Se Office at: USDC, SDNY, Pro Se Office, Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, Room 230, NY, NY 10007. It is so ordered. (Signed by Judge Robert W. Sweet on 5/16/2011)(ja) Modified on 5/19/2011 (ajc). (Entered: 05/18/2011)
05/19/2011	126	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal as to Thomas Ware re: 124 Notice of Appeal - Final Judgment 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (nd). (Entered: 05/19/2011)
05/19/2011		Appeal Record Sent to USCA (File). Indexed record on Appeal as to Thomas Ware re: 124 Notice of Appeal - Final Judgment were transmitted to the U.S. Court of Appeals. (tp) (Entered: 05/19/2011)
11/03/2011	127	First Supplemental ROA Sent to USCA (Index). Notice that the Supplemental Index to the record on Appeal as to Thomas Ware re: 124 Notice of Appeal - Final Judgment USCA Case Number 11-2151, 3 Copies of the index, Certified Supplemental Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (tp) (nd). (Entered: 11/04/2011)
11/04/2011		First Supplemental ROA Sent to USCA (File)[4 VOL]. Supplemental Indexed record on Appeal Files as to Thomas Ware re: 124 Notice of Appeal - Final Judgment USCA Case Number 11-2151, were transmitted to the U.S. Court of Appeals. (tp) (Entered: 11/04/2011)
01/19/2012		***DELETED DOCUMENT. Deleted document number 128 Case Reassignment, as to Thomas Ware. The document was incorrectly filed in this case. (pgu) (Entered: 01/20/2012)
03/12/2012	128	MANDATE of USCA (certified copy) as to Thomas Ware re: 124 Notice of Appeal - Final Judgment, USCA Case Number 11-2151-cr. Upon due consideration, it is hereby ORDERED that the motion for leave to file an

		appeal is DENIED because this appeal continues Appellant's patter of vexatious litigation. It is further ORDERED that Appellant's motion to dismiss the indictment is DENIED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit, Clerk USCA. Issued As Mandate: 03/12/2012. (nd) (Entered: 03/12/2012)
04/19/2012		First Supplemental ROA Returned. [4 vols.] Supplemental Indexed record on Appeal Files as to Thomas Ware re: Supplemental ROA Sent to USCA - File USCA Case Number 11-2151, returned from the U.S. Court of Appeals. (nd) Modified on 10/4/2012 (nd). (Entered: 04/19/2012)
01/27/2014	129	ORDER as to Thomas Ware. Defendant's motion to dismiss the indictment dated January 11, 2014, will be heard on submission, without oral argument, on Wednesday, February 12, 2014. All motion papers shall be served in accordance with Local Civil Rule 6.1. It is so ordered. (Signed by Judge Robert W. Sweet on 1/24/2014)(jw) (Entered: 01/27/2014)
03/28/2014	130	OPINION 104158: As to Thomas Ware. Defendant Ulysses Thomas Ware's ("Ware" or "Defendant") criminal case was marked closed on February 2, 2009. The Second Circuit denied the appeal of his conviction on November 4, 2010... On March 22, 2011, Defendant filed papers in his closed case. On April 19, 2011, this Court denied Defendant's papers, holding that Defendant's "filing raised no controlling decisions or factual matters that the Court did not consider indeciding Ware's motion for a new trial or to dismiss the indictment... On January 11, 2014, Ware filed yet another motion in his closed case, to dismiss the indictment. This motion was taken on submission on February 12, 2014. Like Ware's previous filings, the instant motion occurs in the absence of any case or controversy, lacking proper jurisdiction, and, independently, is frivolous and without merit... Ware is once again cautioned against filing further frivolous findings, and is directed to send future inquiries to the Pro Se Office, addressed above. It is so ordered. (Signed by Judge Robert W. Sweet on 3/27/2014)(dnd) Modified on 4/3/2014 (nt). (Entered: 03/28/2014)
04/14/2014	131	NOTICE OF APPEAL by Thomas Ware from 130 Memorandum & Opinion. (tp) (Entered: 04/24/2014)
04/25/2014		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Thomas Ware to US Court of Appeals re: 131 Notice of Appeal. (tp) (Entered: 04/25/2014)
04/25/2014		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files as to Thomas Ware re: 131 Notice of Appeal were transmitted to the U.S. Court of Appeals. (tp) (Entered: 04/25/2014)
08/14/2014	132	MANDATE of USCA (certified copy) as to Thomas Ware re: 131 Notice of Appeal. USCA Case Number 14-1355. On November 10, 2010 this Court entered an order in United States of America v. Ware, 07-5222 requiring appellant to file a motion seeking leave of this Court prior to filing any future appeals. A notice of appeal in the above referenced case was filed. The Court has no record that appellant sought the Court's permission to appeal prior to filing the notice of appeal. IT IS HEREBY ORDERED that this case is

		dismissed effective June 27, 2014 unless a motion seeking leave of this Court is filed by that date. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit, Clerk USCA. Issued As Mandate: 08/14/2014. (nd) (Entered: 08/15/2014)
03/03/2017	133	LETTER by (04-Cr-1224-01) Thomas Ware dated February 16, 2017 re: Ulysses T. Ware is demanding all judgments, orders, and other ultra vires commands entered in 04-cr-1224 (SDNY) not later than February 27, 2017 be reversed, vacated, set aside, declared null and void nunc pro tunc January 2009; the Fabricated Indictment dismissed with prejudice; and entry of a show cause herein ordering each Defendant to show cause in open court why each shall not be referred to the U.S. Dept. of Justice's criminal division with a judicial recommendation finding probable cause to indict each for 18 USC Sections 2, 4, 241, 242, 371, 1201, 1202, and 1503. And for Robert W. Sweet to show cause why he shall not be impeached. (bw) (Entered: 03/06/2017)
03/13/2017	134	ORDER as to Thomas Ware. The Court has received the Defendant's request, dated February 16, 2017, which is denied as set forth below. As noted in the order of March 27, 2014, the Defendant's criminal case was closed on February 2, 2009, and the Second Circuit denied the appeal of his conviction on November 4, 2010. Defendant previously filed a petition for habeas corpus in this action, which was denied by the Hon. Loretta A. Preska for failure to file IFP papers in a timely fashion. See, Ware v. Warden Darlene Drew, et al., 15 Civ. 8715 (LAP), (S.D.N.Y. Jan 11, 2016). No jurisdiction basis for this relief requested having been set forth, the request is denied. It is so ordered. (Signed by Judge Robert W. Sweet on 3/10/2017)(bw) (Entered: 03/13/2017)
03/22/2017	135	MEMORANDUM by (04-Cr-1224-01) Thomas Ware addressed to Judge Robert W. Sweet dated March 13, 2017 re: U.S.v.Ware, 04-cr-1224 (SONY):Judicial corruption and USSG §2B1.1(I) sentencing fraud and conspiracy of Robert W.Sweet as a Jim Crow racial hate crime. Fed.R.Crim.P.42(a)(1) petition for arrest warrant for criminal contempt of August 8, 2007 Discovery Order apropos the exculpatory Brady material that Government witness Ari Rabinowitz was never registered with the SEC pursuant to 15 USC §78o(a)(1) as a broker-dealer on February 2, 2001 which rendered the 02-cv-2219 (SDNY) orders and judgments null and void ab initio (i.e., unlawful for the lack of Article III subject matter jurisdiction); and rendered the 04-cr-1224 (SONY) indictment also null and void ab initio, ipso facto as a matter of law. (Attachments: # 1 Exhibit) [*** NOTE: Received this document for docketing from Judge Sweet's Chambers on 3/22/2017. ***] (bw) (Entered: 03/27/2017)
03/29/2017	136	ORDER as to Thomas Ware. The Court has received the Defendant's request, dated March 13, 2017, which is denied as set forth below. As noted in the order of March 27, 2014, the Defendant's criminal case was closed on February 2, 2009, and the Second Circuit denied the appeal of his conviction on November 4, 2010. No jurisdictional basis for this relief requested having been set forth, the request is denied. It is so ordered. (Signed by Judge Robert W. Sweet on 3/29/2017)(bw) (Entered: 03/29/2017)
03/30/2017	137	

		LETTER by (04-Cr-1224-01) Thomas Ware addressed to The Hon. Jefferson B. Session, Joon Kim (Acting U.S. Attorney, SDNY), dated March 21, 2017 re: If you would please file your written response to this official inquiry on Appellant and the federal courts named above not later than April 1, 2017, where time is of the essence. Else Appellant will notify each federal or state court affected by the dismissal of the Indictment the DOJ on behalf of the United States and its privies' do intend to oppose Appellant's requested relief in each respective proceedings. (bw) (Entered: 04/05/2017)
04/17/2017	138	NOTICE OF APPEAL by Thomas Ware from 136 Order. (tp) (Entered: 04/18/2017)
04/17/2017		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files as to Thomas Ware re: 138 Notice of Appeal were transmitted to the U.S. Court of Appeals. (tp) (Entered: 04/18/2017)
04/18/2017		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Thomas Ware to US Court of Appeals re: 138 Notice of Appeal. (tp) (Entered: 04/18/2017)
04/18/2017	139	LETTER by Thomas Ware addressed to Mr. Joon Kim, Esq. from Ulysses T. Ware, Esq. dated 4/11/2017 re: The law demands that you as a federal prosecutor notify the courts regarding the crimes which materially affected the Fraudulent Cases. (ft) (Entered: 04/18/2017)
05/02/2017	140	LETTER by Thomas Ware addressed to AUSA Joon Kim from Ulysses T. Ware, Esq. dated 4/24/2017 re: Null and Void ab initio Indictment. (ft) (Main Document 140 replaced on 5/4/2017) (ft). (Entered: 05/02/2017)
05/05/2017	141	LETTER by Thomas Ware addressed to Judge Colleen McMahon from Ulysses T. Ware dated 4/21/17 re: Letter from defendant (jw) (Entered: 05/05/2017)
05/17/2017	142	LETTER by (04-Cr-1224-01) Thomas Ware addressed to Judge Colleen McMahon from Ulysses T. Ware, Esq. dated May 7, 2017 re: I am requesting that you launch an immediate investigation of the missing notice of appeal. And ascertain whether or not court employees' have destroyed, hid, suppressed, or concealed the prior notice of appeals submitted to the District Court on March 21, 2017 for filing and docketing. Enclosed is Amended #1.0 to the March 21, 2017 notice of appeal submitted for filing and docketing in 04-cr-1224 (SDNY) in regard to the pathetic and risible March 13, 2017 advisory and ultra vires purported order. Please confirm your receipt and file into the records of the court. (bw) (Entered: 05/18/2017)
05/31/2017	143	(MOTION) Petitioner's Emergency Brady Disclosure Motion and Request for DOJ Certification. Document filed by Thomas Ware. (bw) (Entered: 06/01/2017)
06/14/2017	144	LETTER by Thomas Ware addressed to Judge Robert W. Sweet from Ulysses T. Ware dated 6/6/2017 re: am demanding that you turnover all ex parte communications had between Robert W. Sweet and any person or entity in regard to nondisclosure of Norris's mental illness and other impeachment

		evidence required to have been disclosed "before trial." (ft) (Entered: 06/14/2017)
06/15/2017	145	MEMO ENDORSEMENT as to Thomas Ware on "Defendant's Motion to Dismiss Indictment with Prejudice For Lack of 18 USC Section 3231 and Article III Subject Matter Jurisdiction" filed by Thomas Ware dated June 7, 2017. ENDORSEMENT: No jurisdiction for this motion having been established, it is denied. SO ORDERED: (Signed by Judge Robert W. Sweet on 6/15/2017)(bw) (Entered: 06/15/2017)
06/28/2017	146	MANDATE of USCA (Certified Copy) as to Thomas Ware re: 138 Notice of Appeal. A USCA Case Number 17-1102. On November 10, 2010 this Court entered an order in United States of America v. Ware, 07-5222 requiring appellant to file a motion seeking leave of this Court prior to filing any future appeals. A notice of appeal in the above referenced case was filed. The Court has no record that appellant sought the Court's permission to appeal prior to filing the notice of appeal. IT IS HEREBY ORDERED that this case is dismissed . Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 06/28/2017. (nd) (Entered: 06/29/2017)
06/29/2017	147	MEMO ENDORSEMENT as to Thomas Ware on "Petitioner's Urgent Motion to Disqualify Robert W. Sweet and Refer Sweet to the Director of the FBI with a Judicial Order of Probable Cause" filed by Ulysses T. Ware dated June 19, 2017. ENDORSEMENT: Motion denied in the absence of jurisdiction. SO ORDERED. (Signed by Judge Robert W. Sweet on 6/29/2017)(bw) (Entered: 06/29/2017)
06/29/2017	148	LETTER by Thomas Ware addressed to cLERK from dEFENDAN dated June 20, 2017 re: U.S. v. Ware, 04-cr-1224 (SDNY); Recusal Motion and Ex. #1. regarding Sweet's risible 03/13/2017, 03/29/2017, and 06/07/2017 orders (bw) (Entered: 06/29/2017)
06/29/2017	149	Notice of Appeal of risible June 15, 2017 order, attached hereto. Document filed by Thomas Ware. Dated 06/21/2017. (bw) (Entered: 06/29/2017)
07/13/2017	151	NOTICE OF APPEAL by Thomas Ware from 147 Memo Endorsement. (tp) (Entered: 07/18/2017)
07/14/2017	150	DISCOVERY MOTION. Petitioner's Supplemental Brady, Giglio, Jencks Act, and Rule 16 Discovery Motion for Robert W. Sweet and the Department of Justice and its proxies, surrogates and agents, and alter-egos to disclose pursuant to 28 USC Section 455(a), the Codes of Conduct for Federal Judges, and the Due Process Clause a certificate of all actual biases, prejudices, conflicts of interests, and/or appearances of bias, prejudice, conflicts of interest which would have the potential to having made fair judgment impossible for Sweet in the 04-cr-1224 proceedings. Document filed by (04-Cr-1224-01) Thomas Ware. (bw) (Entered: 07/17/2017)
07/18/2017		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Thomas Ware to US Court of Appeals re: 151 Notice of Appeal. (tp) (Entered: 07/18/2017)
07/18/2017		

		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files as to Thomas Ware re: 151 Notice of Appeal were transmitted to the U.S. Court of Appeals. (tp) (Entered: 07/18/2017)
07/21/2017	152	ORDER as to Thomas Ware. Defendant's criminal case was closed on February 2, 2009, and the Second Circuit denied his appeal on November 4, 2010. There is no jurisdictional basis to provide Defendant the reliefs he requests, and the requests are therefore denied. Given Defendant's "litigious history," future motions to the Court without a jurisdictional basis will result in the imposition of leave-to-file sanctions. Deutsch v. United States, 101 F.3d 683 (2d Cir. 1996) ; see In re Martin-Trigona, 9 F.3d 226, 228-29 (2d Cir. 1993) (recognizing that "courts may resort to restrictive measures [with respect to] litigants who have abused their litigation opportunities," including "subjecting a vexatious litigant to a 'leave of court' requirement with respect to future filings") ; Safir v. U.S. Lines, Inc., 19, 24 (2d Cir. 1986). It is so ordered. (Signed by Judge Robert W. Sweet on 7/20/2017)(ft) (Entered: 07/21/2017)
07/24/2017	153	LETTER by (04-Cr-1224-01) Thomas Ware addressed to Mr. Rod Rosenstein, Esq. (U.S. Dept. of Justice, Office of the Deputy Attorney General), and to U.S.D.C./S.D.N.Y. re: Submitted for filing and docketing in 04-cr-1224 (SDNY): Priority Filing. (bw) (Entered: 07/27/2017)
07/28/2017	154	LETTER by Thomas Ware addressed to 1) Mr. Rod Rosenstein, Esq. of Office of the Deputy Attorney General/U.S. Dept. of Justice, and 2) Office of the District Clerk/USDC (SDNY), dated 7/20/2017 re: Supp. #1.0 to May 19, 2017 Brady Demand. (bw) (Entered: 07/31/2017)
07/31/2017	155	LETTER by Thomas Ware addressed to Office of the District Court (SDNY), and Mr. Rod Rosenstein, Esq. of U.S. Dept. of Justice/Office of the Deputy Attorney General from Ulysses T. Ware, Esq. dated July 24, 2017 re: Motion to Dismiss Indictment & Notice of Rule 42(a)(1) criminal contempt proceedings against DOJ lawyers. (bw) (Entered: 08/01/2017)
08/08/2017	156	LETTER by (04-Cr-1224-01) Thomas Ware addressed to Mr. Rod Rosenstein, Esq. (of U.S. Dept. of Justice, Office of the Deputy Attorney General), and to Office of the District Clerk/USDC(SDNY) dated 07/31/2017 re: July 31, 2017 declaration of exhaust of all procedural remedies to obtain compliance with Aug. 8, 2007 Brady discovery order. (bw) (Entered: 08/08/2017)
08/08/2017	157	NOTICE OF APPEAL by Thomas Ware from 152 Order. (nd) (Entered: 08/10/2017)
08/10/2017		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Thomas Ware to US Court of Appeals re: 157 Notice of Appeal. (nd) (Entered: 08/10/2017)
08/10/2017		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files as to Thomas Ware re: 157 Notice of Appeal were transmitted to the U.S. Court of Appeals. (nd) (Entered: 08/10/2017)
08/21/2017	158	MOTION Challenging the United States' Standing to file the Indictment. Document filed by Thomas Ware. (bw) (Entered: 08/23/2017)

08/24/2017	159	LETTER addressed to Judge Robert W. Sweet from Defendant Thomas Ware dated August 15, 2017 re: Sweet's, Tr. 821-24, jury charge ("lawful" element) Fraud and Collusion. (bw) (Entered: 08/25/2017)
09/11/2017	160	ORDER as to Thomas Ware (1): The Court is in receipt of Defendant's most recent motion, dated August 14, 2017, challenging the standing of the United States and jurisdiction of the Court with regard to Defendant's indictment, (Dkt. No. 158), and Defendant's letter, dated August 15, 2017, questioning the lawfulness of the jury charge at Defendant's trial, (Dkt. No. 159). In the absence of any pending proceedings or jurisdictional basis, these requests are denied . By the Court's Order dated July 20, 2017, Defendant was cautioned that continued motions made without a jurisdictional basis would result in the potential imposition of sanctions. See Dkt. No. 152.) Defendant has received similar warnings about his "meritless and frivolous" motions practice dating back to 2011. (Dkt. No. 118; see also Dkt. Nos. 125 & 130.) Accordingly, the Clerk of Court is directed to close all pending motions in this case and not open any new motions absent an Order of the Court. It is so ordered. (Signed by Judge Robert W. Sweet on 9/11/2017) (lnl) (Entered: 09/11/2017)
09/18/2017	161	LETTER addressed to Mr. Rod Rosenstein, Esq., and Office of the District Clerk/USDC (SDNY) from Defendant Thomas Ware dated 09/12/2017 re: Rosentein's last and final request to terminate all resistance to lawful court orders, and BOP employees, Beaumont, TX criminal contempt of court Orders. (bw) (Entered: 09/19/2017)
11/07/2017	162	LETTER by Thomas Ware addressed to Judge Robert W. Sweet from Ulysses T. Ware, dated 10/25/2017, re: Sweet's July 21, 2017 order ruling 18 USC §3231 subject matter jurisdiction was lacking over the 04-cr-1224 proceedings. (lnl) (Entered: 11/07/2017)
12/11/2017	163	MANDATE of USCA (Certified Copy) as to Thomas Ware re: 157 Notice of Appeal - Final Judgment, 151 Notice of Appeal - Final Judgment, USCA Case Number 17-2214(L); 17-2465(Con). In November 2010, this Court entered a leave-to-file sanction against Appellant Ulysses Thomas Ware. See United States v. Ware, 2d Cir. 07-5222 (Order dated 11/5/2010). Appellant now moves for leave to file the appeals. Upon due consideration, it is hereby ORDERED that the motions are DENIED because the appeals do not represent a departure from Appellants pattern of vexatious litigation. See In re Martin Trigona, 9 F.3d 226, 229 (2d Cir. 1993). Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 12/11/2017. (tp) (Entered: 12/11/2017)
12/11/2017		Transmission of Notice of Appeal and Certified Copy of Docket Sheet as to Thomas Ware to US Court of Appeals re: 157 Notice of Appeal - Final Judgment, 151 Notice of Appeal - Final Judgment. (tp) (Entered: 12/11/2017)
12/19/2017	164	LETTER by Thomas Ware addressed to Judge Robert W. Sweet from Ulysses T. Ware, Esq. dated 12/12/2017 re: Notice of 12/05/2017 Brady Demand on United States and its privies. (ft) (Entered: 12/19/2017)
12/21/2017	165	

		LETTER from Defendant Thomas Ware dated 12/11/2017 re: Designation of Robert W. Sweet as Unindicted Coconspirator and Material Witness. (bw) (Entered: 12/22/2017)
02/06/2018	<u>166</u>	MANDATE of USCA (Certified Copy) as to Thomas Ware re: USCA Case Number 17-3527. In November 2010, this Court entered a leave-to-file sanction against Appellant Ulysses Thomas Ware. See United States v. Ware, 2d Cir. 07-5222 (Order dated 11/5/2010). Appellant now moves for leave to file what he calls a "moot motion for leave to file a moot appeal." Upon due consideration, it is hereby ORDERED that the motion is DENIED because the motion does not represent a departure from Appellant's pattern of vexatious litigation . See In re Martin-Trigona, 9 F.3d 226, 229 (2d Cir. 1993).. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 02/06/2018. (nd) (Entered: 02/06/2018)
06/27/2018	<u>167</u>	MOTION for Order to Show Cause Order Document filed by Thomas Ware. (jw) (Entered: 07/03/2018)

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